



KEVIN V. RYAN (CSBN 118321)  
United States Attorney

MARK L. KROTOSKI (CSBN 138549)  
Chief, Criminal Division

150 Almaden Avenue, Suite 900  
San Jose, California 95113  
Telephone: (408) 535-5035  
FAX: (408) 535-5081

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

|                           |   |   |
|---------------------------|---|---|
| UNITED STATES OF AMERICA, | ) | No. CR 05-00282-JW                      |
| Plaintiff,                | ) |   |
| v.                        | ) | STIPULATION REQUESTING                  |
|                           | ) | CONTINUANCE OF SENTENCING               |
| TRAVIS TOOLE,             | ) | HEARING AND <del>[PROPOSED]</del> ORDER |
| Defendant.                | ) |   |

It is hereby stipulated and agreed between defendant Travis Toole, by and through his counsel of record, Jesse Garcia, Esq., and the United States, by and through Assistant United States Attorney Mark L. Krotoski, as follows:

1. This matter is presently set for a sentencing hearing on June 12, 2006 at 1:30 p.m.
2. The parties have not yet received the presentence report from the Probation Officer who needs further time to complete the report. The parties will require time to review the report once the probation officer submits the presentence report.

// // //

// // //

// // //

STIPULATION REQUESTING CONTINUANCE OF SENTENCING HEARING AND [PROPOSED] ORDER  
CR 05-00282-JW

1 For the foregoing reasons, and that the ends of justice are served by continuing this case, the  
2 parties stipulate to a continuance of the sentencing hearing from June 12, 2006 at 1:30 p.m. to  
3 September 25, 2006 at 1:30 p.m., or the next available date.

4 IT IS SO STIPULATED.

5 Dated: May \_\_, 2006

KEVIN V. RYAN  
United States Attorney

6  
7  
8 MARK L. KROTOSKI  
Assistant United States Attorney

9 Dated: May \_\_, 2006

10  
11 JESSE GARCIA  
Attorney for defendant Toole

12 IT IS SO ORDERED.

13 The sentencing hearing is continued from March 27, 2006 at 1:30 p.m. to September 25,  
14 2006 at 1:30 p.m.

15 Dated: June 9, 2006

16  
17   
18 JAMES WARE  
United States District Judge

19 Distribute To:

20 Jesse J. Garcia, Esq.  
21 225 West Winton Avenue, Suite 208  
Hayward, CA 94544-1219  
22 FAX (510) 887-0646

23 Mark L. Krotoski  
AUSA  
24 150 Almaden Boulevard, Suite 900  
San Jose, CA 95113

25 Benjamin Flores  
26 U.S. Probation Officer  
280 South First Street  
27 San Jose, CA 95113